

Sec. 27. Section 600B.40, Code 1995, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. In determining the visitation or custody arrangements of a child born out of wedlock, if a judgment of paternity is entered and the mother of the child has not been awarded sole custody, section 598.41 shall apply to the determination, as applicable, and the court shall consider the factors specified in section 598.41, subsection 3, including but not limited to the factor related to a parent's history of domestic abuse.

Sec. 28. Section 602.1203, Code 1995, is amended to read as follows:
602.1203 PERSONNEL CONFERENCES.

The chief justice may order conferences of judicial officers or court employees on matters relating to the administration of justice or the affairs of the department. For judges and other court employees who handle cases involving children and family law, the chief justice shall require regular training concerning mental or emotional disorders which may afflict children and the impact children with such disorders have upon their families.

Sec. 29. **APPLICABILITY AND EFFECTIVE DATE.** Section 9 of this Act, enacting section 232.106, being deemed of immediate importance, takes effect upon enactment and applies to medically relevant tests performed on or after the effective date of this Act pursuant to court orders imposing terms and conditions which are in effect on or after the effective date of this Act.

Approved May 19, 1995

CHAPTER 183

MEDIATION IN DISSOLUTION OF MARRIAGE PROCEEDINGS

S.F. 239

AN ACT relating to the provision of mediation in dissolution of marriage proceedings.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. **NEW SECTION.** 598.7A DISSOLUTION OF MARRIAGE – MEDIATION.

In addition to the custody mediation provided pursuant to section 598.41, unless the court determines that a history of domestic abuse exists as specified in section 598.41, subsection 3, paragraph “j”, if enacted by 1995 Iowa Acts, Senate File 150,* or unless the court determines that direct physical harm or significant emotional harm to the child, other children, or a parent is likely to result, on the application of either party, or on the court's own motion, the court may require the parties to participate in mediation to attempt to resolve differences between the parties relative to the granting of a marriage dissolution decree, if the court determines that mediation may effectuate a resolution of the differences without court intervention.

The costs of mediation shall be paid in full or in part by the parties, as determined by the court and taxed as court costs.

Sec. 2. Section 598.41, subsection 2, Code 1995, is amended to read as follows:

2. On the application of either parent, the court shall consider granting joint custody in cases where the parents do not agree to joint custody. If the court does not grant joint custody under this subsection, the court shall cite clear and convincing evidence, pursuant to the factors in subsection 3, that joint custody is unreasonable and not in the best interest

*Chapter 182 herein

of the child to the extent that the legal custodial relationship between the child and a parent should be severed. Before ruling upon the joint custody petition in these cases, the court may require the parties to participate in custody mediation ~~counseling~~ to determine whether joint custody is in the best interest of the child. The court may require the child's participation in the mediation ~~counseling~~ insofar as the court determines the child's participation is advisable.

The costs of custody mediation ~~counseling~~ shall be paid in full or in part by the parties and taxed as court costs.

Approved May 19, 1995

CHAPTER 184
WORKFORCE DEVELOPMENT
H.F. 573

AN ACT relating to economic development by establishing a workforce development fund, providing for the transfer of certain employer withholding amounts to the workforce development fund, and establishing a loan loss reserve program.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. NEW SECTION. 15.341 **WORKFORCE DEVELOPMENT FUND PROGRAM.**

This part shall be known as the "Workforce Development Fund" program.

Sec. 2. NEW SECTION. 15.342 **PURPOSE.**

The purpose of this part shall be to provide a mechanism for funding workforce development programs listed in section 15.343, subsection 2, in order to more efficiently meet the needs identified within those individual programs.

Sec. 3. NEW SECTION. 15.343 **WORKFORCE DEVELOPMENT FUND.**

1. A workforce development fund is created as a revolving fund in the state treasury under the control of the department consisting of any moneys appropriated by the general assembly for that purpose and any other moneys available to and obtained or accepted by the department from the federal government or private sources for placement in the fund. The fund shall also include all of the following:

a. Notwithstanding section 8.33, all unencumbered and unobligated funds from 1994 Iowa Acts, chapter 1201, section 1, subsection 6, except paragraph "d", section 3, subsections 1 and 3, and section 10, remaining on July 1, 1995, and all unencumbered and unobligated funds in the Iowa conservation corps escrow account established in section 15.229 and the job training fund established in section 260F.6.

b. The loan loss reserve account created in sections 15.345 and 15.346.

c. Repayment moneys pursuant to section 422.16A, up to a maximum of two million dollars each year.

Notwithstanding section 8.33, moneys in the workforce development fund at the end of each fiscal year shall not revert to any other fund but shall remain in the workforce development fund for expenditure for subsequent fiscal years.

2. The assets of the fund shall be used by the department for the following programs and purposes:

a. The Iowa conservation corps created in sections 15.224 through 15.230.